



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: SO2018-4930
Type: Ordinance
File created: 6/27/2018
Status: Passed
In control: City Council
Final action: 10/31/2018
Title: Zoning Reclassification Map No. 3-G at 1505-1535 N Dayton St - App No. 19713
Sponsors: Misc. Transmittal
Indexes: Map No. 3-G
Attachments: 1. O2018-4930.pdf, 2. SO2018-4930.pdf

Date	Ver.	Action By	Action	Result
10/31/2018	1	City Council	Passed as Substitute	Pass
10/22/2018	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
6/27/2018	1	City Council	Referred	

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SUBSTITUTE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the C3-5 Commercial, Manufacturing and Employment District symbols and indications as shown on Map 3-G in the area bounded by:

North Dayton Street, a line 33.66 feet south of and parallel to West Weed Street, the 16' public alley next east of and parallel to North Dayton Street, a line 25 feet north of and parallel to West Blackhawk Street,

to those of a C1-5 Neighborhood Commercial District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of C1-5 Neighborhood Commercial District symbols and indications as shown on Map 3-G in the area bounded by:

North Dayton Street, a line 33.66 feet south of and parallel to West Weed Street, the 16' public alley next east of and parallel to North Dayton Street, a line 25 feet north of and parallel to West Blackhawk Street,

to those of a Residential Planned Development which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This Ordinance shall be in force and effect from and after its passage and due publication.

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RESIDENTIAL PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number (the "Planned Development") consists of approximately 44,079 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Properly) and is owned or controlled by the Applicant, Structured Development, LLC.
- 2." The "requirements, obligations-and conditions contained within, this .Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.

3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

1

EASTM 60594231.1

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The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan

Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation

4. This Plan of Development consists of 17 Statements; a Bulk Regulations Table; an Existing Land Use Map; an Existing Zoning Map; a Demo Site Plan; a Planned Development Property Line and Boundary Map; a Site Plan; a Landscaping Plan; Floor Plans, and Building Elevations (North, South, East and West) prepared by CallisonRTKL and dated June 19, 2018; and a 2015 Affordable Housing Profile Form (AHP) dated September 26, 2018, submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Residential Planned Development: Dwelling Units located on and above the ground floor; Multi-Unit Residential; Co-located Wireless Communication Facilities; accessory parking; and related, incidental and accessory uses.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. . For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 44,079 square feet and a base FAR of 5.0.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

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plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

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applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly.to. the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

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16. The Applicant acknowledges and agrees that the rezoning of the Property from the C3-5 Commercial, Manufacturing and Employment District to the C1-5 Neighborhood Commercial District and then to a Residential Planned Development ("PD"), for construction of the Project triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). The Applicant further acknowledges and agrees that the Property is located in the Near North/Near West Pilot Area, pursuant to Section 2-45-117 of the Municipal Code (the "Near North/Near West ARO Pilot Area Ordinance" or the "Pilot"). The Near North/Near West Pilot Area is divided into two zones: the Near North Zone and the Near West Zone. The Property is located in the Near North Zone. In the Near North Zone, pursuant to the ARO, the percentage of units in a residential housing project required to be affordable for a period of 30 years, whether rental or for-sale, is increased from 10% to 20%. Any developer of a residential housing project in the Near North Zone must provide the first 10% of units required to be affordable (the "First Units") either: (i) in the residential housing project, or (ii) with the approval of the Commissioner of the Department of Planning and Development (the "Commissioner"), in an off-site location within two miles of the Property and in the same or a different higher income area or downtown district, or (iii) any combination of (i) and (ii). In addition, the developer must provide the second 10% of units required to be affordable (the "Additional Units") either: (i) in the residential housing project, or (ii) with the Commissioner's approval, in an off-site location anywhere within the Near North/Near West Pilot Area, regardless of distance from the project or income area, or (iii) any combination of (i) and (ii). The project has a total of 197 housing units. Pursuant to that certain letter dated February 14, 2018, and in accordance with Section 2-45-115(P) of the ARO, the Commissioner of the Department of Planning and Development has granted a hardship waiver to exempt the proposed project from the requirements of the Near North/Near West ARO Pilot Area Ordinance. As a result, the Applicant's affordable housing obligation is 20 affordable units (10% of 197). The Applicant has agreed to satisfy its affordable housing obligation by providing 5 affordable units in the rental building to be constructed in the Planned Development, and pay a fee in lieu for the remaining units in the amount of \$1,927,035, as set forth in the Affordable Housing Profile Form attached hereto. In accordance with the ARO, the Applicant is required to lease the affordable units to households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income ("AMI") at prices affordable to households at such income level. If the Applicant subsequently reduces (or increases) the number of housing units in the project, or elects to build a for-sale project instead of a rental project, or (with the Commissioner's approval) elects to construct off-site units instead of on-site units, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. DPD may adjust the requirements to reflect any such change without amending the Planned Development. Prior to the issuance of any building permits for

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

4

EASTU 6059423 1.1

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any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to the CI-5 Downtown Mixed-Use District.

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

5

EASTM 60594231.1

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RESIDENTIAL PLANNED DEVELOPMENT NO. BULK REGULATIONS ANT) DATA TABLE

Gross Site Area (sf):	55,616
Area of Public Rights-of-Way (sf):	11,537
Net Site Area (sf): -	44,079
Maximum Floor Area Ratio:	5.0
Maximum Number of Dwelling Units:	197
Parking Spaces:	56
Bicycle Parking:	181
Loading Berth:	1(10'x25')
Maximum Building Height:	80 feet
Minimum Setbacks:	Per plans

Applicant: Structured Development, LLC
Address: 1505-1535 North Dayton
Introduced: June 27, 2018
Plan Commission: October 18, 2018

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2015 ARO Affordable Housing Profile Form (AHP)

DEVELOPMENT INFORMATION

Development Name: ^{F, fifteen} "WtY Five Development Address: 1505-1535 N Davton St

Zoning Application Number, If applicable: Ward: 2nd

If you are working with a Planner at the City, what is his/her name? ^{Noan} Szafraniec

Type of City Involvement ☐ City Land ☐ Planned Development (PD)

check all that apply ☒ Financial Assistance ☒ Transit Served Location (TSL) projei
☒ Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

- ☐ ARO Web Form completed and attached - or submitted online on
- ☐ ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excel)
- ☐ If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (pdf)
- ☒ If ARO units proposed are off-site, required attachments are included (see next page)
- ☒ If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (pdf)

DEVELOPER INFORMATION

Developer Name Structured Development LLC

312-261-5773

Developer Phone Attorney Phone 312-368-7261

Developer Contact Jeffrey Berta Developer Address 211 N Clinton St Suite 3S

Chicago^ Email jberta@strdev.com <mailto:jberta@strdev.com>Attorney

Name Mariah DiGrino

4/1/2021

TIMING

Estimated date marketing will begin Estimated date of building permit*

5/1/2020 Estimated date ARO units will be complete 9/1/2021

*the in-lieu fee and recorded covenant are required prior to the issuance of any building permits, including the foundation permit

AFFORDABLE REQUIREMENTS ORDINANCE

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ARO Web Form

AFFORDABLE REQUIREMENTS ORDINANCE

Applicant Contact Information
Name: Jeffrey Berta Email: lberta@strdev.com

<mailto:lbarta@strdev.com>

Development Information Address

Number From: '1505 Street Name: Dayton

Development Name

Fifteen Thirty Five

Submitted Date: 09/26/2018

Number To: 1535 Direction: N Postal Code: 60642

Are you rezoning to downtown?: No

Is your project subject to the ARO Pilots?: 2015 ARO REQUIREMENT^ APPLY

information

ARO Zone: Higher Income

Details

ARO trigger: Zoning change and planned development Total units; 197 Development type: Rent

Requirements

First ARO Units: ^ Additional ARO Units: ^

How do you intend to meet your ARO obligation for the First ARO Units?

On-Site^ Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0

Total Units: 5 /J^J_m pWM&fc

How do you intend to meet your ARO obligation for the Additional ARO Units?

Will the Units be 80% AMI or 100% AMI: null

On-Site: 0

Off-Site: 0

On-Site to CHA or Authorized agency: 0

Off-Site to CHA or Authorized agency: 0 Total Units:

0

In Lieu Fee: \$1,927,035. Project has a waiver from the Commissioner exempting it from the Near North pilot requirements. 2015 ARO rules apply.

EXISTING LAND-USE yjnaj fQf
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BLACKHAWK ST.

SUBJECT SITE

RESIDENTIAL | RETAIL MIXED-USE RESIDENTIAL

Ev5

* B * | PARK/OPEN SPACE MANUFACTURING | F-j RETAIL

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A DESIGN CONSULTANCY D F AR C AD IS

I Address: 1505-1535 N Dayton St.

I Introduction Date: June 27, 2018

{Chicago Plan Commission Date: October 18, 2018

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

From:

David L. Reifman Chicago Plan
Commission

Date: October 18, 2018

Re: Proposed Planned Development for the property generally located at 1535 North Dayton
Street

On October 18, 2018, the Chicago Plan Commission recommended approval of the proposed planned development submitted by, Structured Development LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-9476.

Cc: • Steve Valenziano

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

PD Master File (Original PD, copy of memo)

